Ninth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

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Item 15 of the agenda
Consideration and adoption of the final document

Final document

I. Introduction

1. Article 10 (1) and (2) of Protocol V on Explosive Remnants of War (ERW) states the following:

> "1. The High Contracting Parties undertake to consult and co-operate with each other on all issues related to the operation of this Protocol. For this purpose, a Conference of High Contracting Parties shall be held as agreed to by a majority, but no less than eighteen High Contracting Parties.
>
> 2. The work of the conferences of High Contracting Parties shall include:
>
> (a) Review of the status and operation of this Protocol;
>
> (b) Consideration of matters pertaining to national implementation of this Protocol, including national reporting or updating on an annual basis;
>
> (c) Preparation for review conferences."

2. By resolution 70/71, the General Assembly of the United Nations emphasized "the importance of the universalization of the Protocol on Explosive Remnants of War (Protocol V)," and welcomed "the commitment of States parties to the Protocol [...] to the effective and efficient implementation of the Protocol [...]." It also requested the Secretary-General of the United Nations "to render the necessary assistance and to provide such services, including summary records, as may be required [...], as well as for any continuation of work after the meetings."

3. The Fourth Review Conference of the High Contracting Parties to the Convention, CCW/CONF.IV/4/Add.1, encouraged the High Contracting Parties to Protocol V to "continue their much needed work on implementation in the areas of the clearance of explosive remnants of war, including existing explosive remnants of war as referred to in Article 7, recording and transferring information on explosive ordnance and abandoned explosive ordnance under Article 4, generic preventive measures, victim assistance, cooperation and assistance, national reporting as well as the maintenance of the Web-based Information System for Protocol V (WISP.V)."

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4. The Ninth Conference for Protocol V was prepared for by a Meeting of Experts, which took place from 7 to 8 April 2015 in Geneva, as decided by the Eighth Conference in paragraph 37 of its final document, CCW/P.V/CONF/2014/10.

5. The Eighth Conference decided, as stipulated in paragraph 38 of its final document that the Meeting of Experts should especially focus on the following issues:

(a) Clearance, removal or destruction of explosive remnants of war, pursuant to Article 3 of the Protocol, and Article 4, under the overall responsibility of the Coordinator, Ms. Diana Kazina of Latvia;

(b) Cooperation and assistance and requests for assistance pursuant to Article 7 of the Protocol, under the overall responsibility of the President-designate of the Ninth Conference;

(c) Generic preventive measures, pursuant to Article 9 and the Technical Annex of the Protocol, under the overall responsibility of the Coordinator, Mr. Jim Burke, Colonel, of Ireland;

(d) National reporting, pursuant to Article 10 (2) (b) of the Protocol under the overall responsibility of the Coordinator, Mr. Lode Dewaegheneire, Major Aviateur, of Belgium; and

(e) Victim assistance, pursuant to Article 8(2) of the Protocol, under the overall responsibility of the Coordinator, Mr. Julio Mercado of Argentina, and Friend of the Coordinator, Mr. Fernando Guzman of Chile.

6. The Eighth Conference also decided, as stipulated in paragraph 26 of its final document, that the Secretary-General of the United Nations and President of the Ninth Conference, to exercise their authority to achieve the goal of universality of the Protocol.

7. The First Conference decided, as stipulated in paragraph 42 of its final document, CCW/P.V/CONF/2007/1 that the work of the Meetings of Experts shall be considered by the Conferences of the High Contracting Parties to be held annually.

8. The 2014 Meeting of High Contracting Parties to the Convention in paragraph 37(b) of its final document decided that the Ninth Conference of Protocol V would be held on 9 and 10 November 2015.

9. The Eighth Conference also decided in paragraph 40 of its final document, to nominate Mr. M. Shameem Ahsan, Ambassador of Bangladesh as President-designate of the Ninth Conference, Mr Rytis Paulauskas, Ambassador of Lithuania, and Mr. Henk Cor van der Kwast, Ambassador of the Netherlands as Vice-Presidents-designates.

II. Participation in the Ninth Conference

10. The Ninth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was convened at the Palais des Nations in Geneva on 9 and 10 November 2015.

11. The following High Contracting Parties to Protocol V participated in the work of the Conference: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Honduras, Hungary, India, Iraq, Ireland, Italy, Kuwait, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Madagascar, Malta, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia,

South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Arab Emirates, United States of America, Uruguay and Zambia.

12. The following High Contracting Parties to the Convention participated in the work of the Conference as observers: Israel, Japan, Jordan, Kazakhstan, Morocco, Philippines, Serbia, Sri Lanka, Turkey and the United Kingdom of Great Britain and Northern Ireland.

13. The following States Signatories to the Convention participated in the work of the Conference as observers: Egypt, Nigeria, Sudan and Viet Nam.

14. The representatives of Azerbaijan, Côte d'Ivoire, Indonesia, Kyrgyzstan, Lebanon, Libya, Mozambique, Myanmar, Singapore, Thailand and Zimbabwe participated in the work of the Conference as observers.

15. The representatives of the following organizations also took part in the work of the Conference as observers: United Nations Development Programme (UNDP), United Nations Mine Action Service (UNMAS), United Nations Office for Disarmament Affairs (UNODA), European Union, Geneva International Centre for Humanitarian Demining (GICHD), International Committee of the Red Cross (ICRC), International Criminal Police Organization (INTERPOL), International Federation of Red Cross and Red Crescent Societies (IFRC) and League of Arab States.

16. The representatives of the following non-governmental organizations and other entities also took part in the work of the Conference as observers: Human Rights Watch, International Campaign to Ban Landmines-Cluster Munition Coalition (ICBL-CMC), Mines Advisory Group (MAG), Pax, Pax Christie Ireland, Womens's International League for Peace and Freedom (WILPF), Digger Foundation and the Geneva Academy.

III. Work of the Ninth Conference

17. The Ninth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was opened on the morning of 9 November 2015 by Mr. Daniel Mic, Deputy Permanent Representative of the Czech Republic.

18. The Conference held four plenary meetings. At its first plenary meeting, the Conference confirmed the nomination of Ambassador M. Shameem Ahsan as President of the Ninth Conference of the High Contracting Parties to Protocol V. It also confirmed Ambassador Rytis Paulauskas and Ambassador Henk Cor van der Kwast as Vice-Presidents.

19. At the same plenary meeting, the Conference adopted its agenda, (CCW/P.V/CONF/2015/1) and programme of work (CCW/P.V/CONF/2015/2). In confirming its Rules of Procedure, as contained in CCW/P.V/CONF/2013/10, the Conference in accordance with paragraph 42 of the final document of the Seventh Conference decided to suspend Rule 2.

20. Mr. Marco Kalbusch, Officer-in-Charge of the United Nations Office of Disarmament Affairs, Geneva Branch, served as Secretary-General of the Conference. Ms. Hine-Wai Loose, CCW Implementation Support Unit, served as Secretary.

21. The following delegations participated in the general exchange of views: Netherlands, Kuwait, Republic of Korea, China, Brazil, Germany, Argentina, Russian Federation, Pakistan, Italy, India, France, Cuba, Austria, Holy See, Switzerland, Ecuador, Zambia, Peru, Laos People's Democratic Republic, Australia, European Union, United Nations Mine Action Service (UNMAS) on behalf of the Inter-Agency Coordination Group on Mine Action, and the International Committee of the Red Cross (ICRC).

22. Pursuant to the decision by the First Conference to establish a database on Protocol V, in accordance with its Article 10 (2) (b), consisting of the national reports, annual or immediate updates of the national reports, and/or summary cover pages, if applicable, on matters pertaining to the implementation of Protocol V, as stipulated in paragraphs 24 to 28 of its final document (CCW/P.V/CONF/2007/1), the Conference had before it national annual reports from the following States: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, Iceland, India, Iraq, Ireland, Italy, Laos' Democratic Republic, Latvia, Liechtenstein, Lithuania, Netherlands, New Zealand, Norway, Pakistan, Peru, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United States of America

23. During the course of the meeting the Conference considered documents CCW/P.V/CONF/2015/1 to CCW/P.V/CONF/2015/10 and CCW/P.V/CONF/2015/WP.1 as set out in annex III. The documents of the Conference are available in all official languages through the Official Document System of the United Nations at http://documents.un.org, and the website of the CCW Protocol V at http://www.unog.ch/ccw.

24. The Conference welcomed the digital audio recording system of official meetings and conferences, which has been established by the United Nations Office at Geneva and are available on that organization's website.

IV. Conclusions and recommendations

A. Universalization

25. The Ninth Conference welcomed that since the Eighth Conference, Grenada has consented to be bound by Protocol V. The Ninth Conference also welcomed the efforts undertaken by the Secretary-General of the United Nations, President of the Ninth Conference, organizations, CCW Sponsorship Programme, and Implementation Support Unit to promote universalization of Protocol V.

26. The Conference recommended that the Secretary-General of the United Nations and the President-designate of the Tenth Conference, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of Protocol V. The Conference also called on the High Contracting Parties to Protocol V and the CCW Implementation Support Unit to promote wider adherence to Protocol V, pursuant to the Accelerated Plan of Action on Universalization of the Convention and its annexed Protocols as adopted by the Fourth Review Conference of the High Contracting Parties to the Convention.

B. Clearance, removal or destruction of Explosive Remnants of War

27. The Conference took note of the report by the Coordinator on Clearance, Removal or Destruction of ERW, as contained in CCW/P.V/CONF/2015/4.

28. The Conference decided:

(a) To encourage affected High Contracting Parties to provide updates on their implementation of ongoing national programmes in the fields of surveillance, clearance and destruction of ERW and in particular to report on the challenges encountered and lessons learnt.

(b) To encourage the application of the international standards, including the International Mine Action Standards, where appropriate and on a voluntary basis and raise awareness among High Contracting Parties on recent updates and amendments.

(c) To continue the exchange of information on the implementation of Article 4 in the context of meetings of experts and the conferences of the High Contracting Parties to Protocol V.

(d) To discuss how to encourage increased implementation by High Contracting Parties of Article 4 procedures.

C. Cooperation and assistance and requests for assistance

29. The Conference took note of the report by the Coordinator on cooperation and assistance and requests for assistance, as contained in CCW/P.V/CONF/2015/6.

30. The Conference decided:

(a) To encourage those High Contracting Parties, relevant international organisations and institutions in a position to do so to provide cooperation and assistance for addressing the impact of explosive remnants of war.

(b) To encourage States, which have outlined their needs for assistance in either formal requests for assistance or statements to the Meeting of Experts, to ensure they have specified their exact needs and provide regular updates on the status of those requests.

(c) To encourage both donor and affected High Contracting Parties to submit information relating to Articles 7 and 8 in their national reports.

D. Generic preventive measures

31. The Conference took note of the report by the Coordinator on generic preventive measures, pursuant to Article 9 and the technical annex of the Protocol, as contained in CCW/P.V/CONF/2015/9.

32. The Conference decided:

(a) All High Contracting Parties are encouraged to implement Part 3 of the Technical Annex to Protocol V, report on such work in their Protocol V national annual reports and implement the International Ammunition Technical Guidelines on a voluntary basis.

(b) All High Contracting Parties are urged to implement measures to effectively manage their munitions sites, especially implementing standard operation procedures for the management of munitions sites, maintaining accurate inventories of munitions stored, limiting access to munitions sites, regularly inspecting sites and removing aged and degraded munitions and maintaining the necessary safety distances between munitions sites and urban populations. Selection of such measures should be based on nationally developed risk assessment procedures.

(c) To consider how best to encourage the implementation of Article 9 and Part 3 of the Technical Annex over the next review cycle.

E. National reporting

33. The Conference took note of the report by the Coordinator on national reporting, pursuant to Article 10 (2) (b) of the Protocol, as contained in CCW/P.V/CONF/2015/3.

34. The Conference decided:

(a) All High Contracting Parties and observer States are called on to submit national annual reports and in preparing those reports are encouraged to use the Protocol V Guide to National Reporting.

(b) The Protocol V Guide on National Reporting to be amended to include the guidance set out in Annex I on reporting under Article 8(2) and the Protocol V Plan of Action on Victim Assistance.

(c) The Coordinator with the support of the CCW Implementation Support Unit to examine the reporting under all of the Forms of the National Reporting Form. The examination may serve as a contribution to the Tenth Conference of High Contracting Parties to Protocol V and the Fifth CCW Review Conference.

F. Victim assistance

35. The Conference took note of the report by the Coordinator on victim assistance, as contained in CCW/P.V/CONF/2015/5.

36. The Conference decided:

(a) To encourage affected High Contracting Parties to implement Article 8(2) and the Protocol V Plan of Action on Victim Assistance, and to report on these actions in Form E (a) of the national reporting form.

(b) To continue to review the implementation of the commitments on victim assistance under Protocol V and in particular to focus on the provision of cooperation and assistance and best practices in this area.

(c) To exchange practical experiences and lessons learned on victim assistance with other relevant legal instruments.

G. Preparations for the Fifth Review Conference

37. In preparing for the Fifth Review Conference of the Convention, the Conference decided:

To consider the impact of Protocol V on preventing and alleviating the suffering caused by explosive remnants of war (ERW).

H. Follow-up

38. The Conference decided that the next Meeting of Experts will be for a duration of one and a half days and shall take place from 6 to 7 April 2016 in Geneva.

39. The Conference also decided that the Meeting of Experts will take place under the overall responsibility of the President-designate of the Tenth Conference, who will be assisted by Mr. Julio Mercado of Argentina, Mr. Fernando Guzman of Chile and Colonel Jim Burke of Ireland.

40. The Conference decided that, in implementing the Accelerated Plan of Action on Universalization of the Convention and its annexed Protocols as adopted by the Fourth Review Conference of the High Contracting Parties to the Convention, the Meeting of Experts should consider the issue of the universalization of Protocol V under the overall responsibility of the President-designate of the Tenth Conference of the High Contracting Parties to Protocol V.

41. The Conference decided to nominate Ambassador Henk Cor van der Kwast of the Netherlands, as President-designate of the Tenth Conference, and Ambassador Andre Pung of Estonia and a member of the Non-Aligned Movement as Vice-Presidents-designates.

42. The Conference considered and approved a provisional agenda of the Tenth Conference, as contained in annex I. The Conference adopted the estimated costs of the 2016 Meeting of Experts and Tenth Conference, as contained in CCW/P.V/CONF/2015/8

and CCW/P.V/CONF/2015/10. The dates for the Tenth Conference would be determined by the 2015 Meeting of High Contracting Parties to the Convention.

43. At its fourth plenary meeting, the Ninth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War adopted its final document as contained in CCW/P.V/CONF/2015/CRP.1, as orally amended, which is being issued as document CCW/P.V/CONF/2015/11.

Annex I

Provisional agenda of the Tenth Conference

(As recommended by the Ninth Conference at its fourth plenary meeting on Tuesday 10 November 2015)

1. Opening of the Conference
2. Election of the President
3. Adoption of the agenda
4. Confirmation of the rules of procedure
5. Appointment of the Secretary-General of the Conference
6. Organization of work including that of any subsidiary bodies of the Conference
7. Election of other officers of the Conference
8. General exchange of views
9. Review of the status and operation of the Protocol
10. Consideration of matters pertaining to national implementation of the Protocol, including national reporting or updating on an annual basis
11. Preparation for review conferences
12. Report(s) of any subsidiary organ(s)
13. Adoption of the cost estimates for 2017
14. Other matters
15. Consideration and adoption of the final document.

Annex II

List of States which have notified the Depositary of their consent to be bound by Protocol V on Explosive Remnants of War

State	*Date*
Albania	12 May 2006
Argentina	7 October 2011
Australia	4 January 2007
Austria	1 October 2007
Belarus	29 September 2008
Belgium	25 January 2010
Bosnia and Herzegovina	28 November 2007
Brazil	30 November 2010
Bulgaria	7 November 2005
Burundi	13 July 2012
Cameroon	7 December 2010
Canada	19 May 2009
Chile	18 August 2009
China	10 June 2010
Costa Rica	27 April 2009
Croatia	7 February 2005
Cyprus	11 March 2010
Czech Republic	6 June 2006
Denmark	28 June 2005
Dominican Republic	21 June 2010
Ecuador	10 March 2009
El Salvador	23 March 2006
Estonia	18 December 2006
Finland	23 March 2005
France	31 October 2006
Georgia	22 December 2008
Germany	3 March 2005
Greece	21 October 2014

State	*Date*
Guinea-Bissau	6 August 2008
Holy See	13 December 2005
Honduras	16 August 2010
Hungary	13 November 2006
Iceland	22 August 2008
India	18 May 2005
Iraq	24 September 2014
Ireland	8 November 2006
Italy	11 February 2010
Jamaica	25 September 2008
Kuwait	24 May 2013
Lao People's Democratic Republic	2 February 2012
Latvia	16 September 2009
Liberia	16 September 2005
Liechtenstein	12 May 2006
Lithuania	29 September 2004
Luxembourg	13 June 2005
Madagascar	14 March 2008
Mali	24 April 2009
Malta	22 September 2006
The Netherlands	18 July 2005
New Zealand	2 October 2007
Nicaragua	15 September 2005
Norway	8 December 2005
Pakistan	3 February 2009
Panama	29 November 2010
Paraguay	3 December 2008
Peru	29 May 2009
Poland	26 September 2011
Portugal	22 February 2008
Qatar	16 November 2009
Republic of Korea	23 January 2008

State	*Date*
Republic of Moldova	21 April 2008
Romania	29 January 2008
Russian Federation	21 July 2008
Saudi Arabia	8 January 2010
Senegal	6 November 2008
Sierra Leone	30 September 2004
Slovakia	23 March 2006
Slovenia	22 February 2007
South Africa	24 January 2012
Spain	9 February 2007
St. Vincent and the Grenadines	6 December 2010
Sweden	2 June 2004
Switzerland	12 May 2006
Tajikistan	18 May 2006
The Former Republic of Yugoslavia	19 March 2007
Tunisia	7 March 2008
Turkmenistan	23 July 2012
Ukraine	17 May 2005
United Arab Emirates	26 February 2009
United States of America	21 January 2009
Uruguay	7 August 2007
Zambia	25 September 2013

Annex III

List of documents

Symbol	*Title*
CCW/P.V/CONF/2015/1	Provisional agenda of the Ninth Conference
CCW/P.V/CONF/2015/2 and Corr.1	Provisional programme of work
CCW/P.V/CONF/2015/3	Report on national reporting
CCW/P.V/CONF/2015/4	Report on Article 3 – clearance, removal or destruction of explosive remnants of war and Article 4 – recording, retaining and transmission of information
CCW/P.V/CONF/2015/5 and Corr.1	Report on victim assistance
CCW/P.V/CONF/2015/6 and Corr.1	Report on Cooperation and Assistance
CCW/P.V/CONF/2015/7	Estimated Costs of the Tenth Conference of the High Contracting Parties to Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects
CCW/P.V/CONF/2015/8	Estimated Costs of the 2016 Meeting of Experts of the High Contracting Parties to Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to Have Indiscriminate Effects
CCW/P.V/CONF/2015/9	Report on Generic Preventive Measures

Symbol	*Title*
CCW/P.V/CONF/2015/10	Estimated Costs of the Tenth Conference of the High Contracting Parties to Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects
CCW/P.V/CONF/2015/11	Final document
CCW/P.V/CONF/2015/WP.1 [English only]	Cooperation and Assistance
CCW/P.V/CONF/2015/CRP.1 [English only]	Draft final document
CCW/P.V/CONF/2015/MISC.1 [English/French/Spanish only]	Provisional list of participants